

IN RE: ALEX F FIGUEROA TORRES  
NAMIR HERNANDEZ MARTINEZ

Bkrtcy. No. 10-10280-ESL

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES  
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>Oct 29, 2010</u>	Meeting Date: <u>Dec 03, 2010</u>	DC Track No. <u>1</u>						
Days from petition date: <u>35</u>	Meeting Time: <u>8:00 AM</u>							
910 Days before Petition: <u>5/2/2008</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Nov 03, 2010 Dkt.# 7</u>	<input type="checkbox"/> Amended.						
This is debtor(s) <u>JSF</u> Bankruptcy petition.	Plan Base: <u>\$20,250.00</u>							
This is the <u>JSF</u> Scheduled Meeting	Confirmation Hearing Date: <u>Dec 29, 2010</u>	Time: <u>2:00 PM</u>						
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:	<table border="1"> <thead> <tr> <th>Ck/MO No.</th> <th>Date</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Ck/MO No.	Date	Amount				Total Paid In: <u>\$200.00</u>
Ck/MO No.	Date	Amount						

I. <b>Appearances:</b>		<input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference	<input checked="" type="checkbox"/> Creditor(s) present: <input type="checkbox"/> None.
<input checked="" type="checkbox"/> Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Debtor Absent	<u>Alexandra Lopez - Ace Dry Cleaning</u>
<input checked="" type="checkbox"/> Joint Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Joint Debtor Absent	<u>Hernandez - BPPN Services</u>
Debtor(s) was/were	<input checked="" type="checkbox"/> Examined <input type="checkbox"/> Not Examined under oath.		<u>Lafael Lopez Martinez - Ace Dry</u>
Attorney for Debtor(s)	<input checked="" type="checkbox"/> Present <input type="checkbox"/> Not Present		<u>Daniel Neri - BPPN - cleaning</u>
<input type="checkbox"/> Substitute attorney:	<input type="checkbox"/> Pro-se.		<u>Madeline - Ace Dry Cleaning</u>

II. Attorneys Fees as per R 2016(b) Statement	Attorney of record:	JAIME RODRIGUEZ LAW OFFICE PSC* <u>X</u>
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$1,000.00</u>	Outstanding: <u>\$2,000.00</u>
		THROUGH THE PLAN

III. Trustee's will file Motion to Dismiss:	<input type="checkbox"/> For Failure to appear;	<input type="checkbox"/> For Failure to commence payments.
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IV. Trustee's Report on Confirmation & Status of §341 Meeting			
Debtor(s) Income is (are)	<input type="checkbox"/> Under <input checked="" type="checkbox"/> Above Median Income.	Liquidation Value:	<u>0</u>
Commitment Period is	<input type="checkbox"/> 36 <input checked="" type="checkbox"/> 60 months. [§1325(b)(1)(B)]	Gen. Unsecured Pool:	<u>0</u>
<u>16.53</u> The Trustee	<input type="checkbox"/> RECOMMENDS <input checked="" type="checkbox"/> OBJECTS	Plan confirmation.	
§341 Meeting	<input type="checkbox"/> CONTINUED <input type="checkbox"/> NOT HELD <input checked="" type="checkbox"/> CLOSED	<input type="checkbox"/> HELD OPEN FOR ___ DAYS	
§341 Meeting Rescheduled for: _____			

V. Trustee's OBJECTIONS to Confirmation:			
<input checked="" type="checkbox"/> FEASIBILITY [§1325(a)(6)]	<input type="checkbox"/> INSUFFICIENTLY FUNDED	<input type="checkbox"/> To pay \$507	<input checked="" type="checkbox"/> Fails Creditor's Best Interest Test §1325(A)(4)
<input checked="" type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS	<input type="checkbox"/> Tax returns requirements. [§1308]		
<input type="checkbox"/> Failure to comply with DSO requirements	<input type="checkbox"/> Plan not filed in Good Faith §1325(a)(3)	<input type="checkbox"/> Unfair Discrimination §1322(a)(3)	

## ADDITIONAL OBJECTIONS / COMMENTS:

1) Schedule will amend means test to reflect Debtor's (her) actual income. Schedule I states that Debtor's (her) income is \$2,021.00 while means test states that Debtor's income is \$466.29

2) Debtor must submit pay stubs and evidence of

/s/ José R. Carrión  
Trusteeamk  
Presiding Officer



Case No. \_\_\_\_\_

ADDITIONAL OBJECTIONS / COMMENTS:

actual income received by Debtor (him). Certification shows that Debtor (him) receives a \$300.00 "bonus" or payment increase every third month.  
4) Debtor will amend SOFA to state that Debtor donated to his 28 year old daughter a Ford Escort 1997.  
5) Plan will be amended to provide that bonus payments received by Debtor (her) received periodically through her work will be submitted to Plan. Debtor receives said bonuses when she is able to recruit a certain number of students in her program. Debtor (he) said she had not received said bonus six months prior to filing bankruptcy. Debtor will also amend Schedule I.

- Debtor will amend Schedule I to include Debtor's Christmas bonus.

- Debtor will request bifurcation of mortgage. Debtor has a mortgage with BPPK that encumbered a commercial property owned by Kache Cleaners, Debtor's former corporation, for which Debtor's acted as co-debtors. Said mortgage also encumbers their residence in Urb. Arbolada, Caguas.

- Debtor will submit title study and appraisal for Urb. Arbolada, Caguas, Property.

- Debtor will submit comparables of property intended by Debtor (her) in Urb. Mirador, Caguas.

  
Trustee / Presiding Officer

Date: 12/3/2010

Case No. \_\_\_\_\_

ADDITIONAL OBJECTIONS / COMMENTS:

3) Debtor will upload tax returns reviewed during  
creditors' meeting through TED FA.

Debtor will amend ch. 13 plan to provide for payments  
of second mortgage with BPPN.



Trustee / Presiding Officer

Date: 12/3/20 10